

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	8:16CR241
vs.)	
)	ORDER
SHERMAN JOHNSON, JR.,)	
SARKIS LABACHYAN,)	
)	
Defendants.)	

This matter is before the court on the government's Motion to Continue Trial [86]. The government's essential witness is unavailable for trial on October 23, 2017. Good cause being shown, the motion shall be granted and the trial shall be continued.

IT IS ORDERED that the motion to continue trial is granted, as follows:

1. The jury trial currently scheduled set for October 23, 2017 is continued to **October 30, 2017.**

2. The time between October 23, 2017 and the commencement of trial is deemed excludable time in any computation of time under the requirement of the Speedy Trial Act for the reason that in continuing trial the ends of justice outweigh the best interest of the public and Defendant in a speedy trial and for the reasons set out in the government's motion to continue trial, See 18 U.S.C. § 3161(7)(A).

3. A party may object to this order by filing an "Objection to Magistrate Judge's Order" no later than **August 23, 2017.** The objecting party must comply with all requirements of NECrimR 59.2.

DATED August 17, 2017.

BY THE COURT:

**s/ Michael D. Nelson
United States Magistrate Judge**